

Baron Pleads ^{3/1/71} Not Guilty

Gangland informer Joseph Baron today pleaded not guilty to the July murder of Santa Rosa Clayton Ricky Wilson.

Mr. Baron, returned here on Friday from Massachusetts, was arraigned in a five-minute proceeding before Southern Municipal Court Judge Alexander McMahan.

Judge McMahan named Public Defender Marteen Miller to defend the burly ex-prizefighter, and then set the preliminary hearing for 9:30 a.m. March 11 in the Sonoma courtroom.

For security reasons, today's arraignment was held at the county jail arraignment room. The only audience, beside court officials and deputies, were press representatives.

Mr. Baron was calm and expressionless as the Judge read the first degree murder charges against him.

He was dressed in white jail overalls. A shock of black hair covered his forehead.

He listened attentively, cocking his left ear toward the judge.

Are you aware you have a right to an attorney?

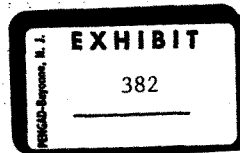
"Yes sir."

Do you have funds to hire yourself an attorney?

"No, your honor."

Are you asking for the appointment of an attorney.

"Yes sir."



(6)

AFFIDAVIT

I, James Southwood, being duly sworn, depose and state as follows:

In the course of making preparations to write a book for Joseph Barboza Baron about his life as an assassin for the New England Mafia and while a reporter for the Boston Herald Traveler, Mr. Barboza, in early 1969, gave me his scrapbooks about the Boston Gang War and numerous documents pertaining to three major trials at which he testified against New England Mafia bosses and others.

Subsequently, at a time in 1970, when he claimed to me that the U.S. Justice Department had betrayed him by breaking promises made in exchange for his court testimony, he said that he was recanting his testimony that sent men to Death Row. At this time, a date I believe to be in the spring of 1971, Mr. Barboza said:

"Louis Greco wasn't in the alley!"

I have previously made this known to Mr. Louis Greco's then attorney.

To this end, Mr. Barboza apparently sent a message to Raymond Patriarca, boss of the New England Mob, who was presently in jail as a result of Mr. Barboza's testimony, that the writer, James Southwood, was in possession of the Grand Jury minutes of the so-called "Teddy Deegan Murder" case. Among those convicted in this case was Louis Greco. Mr. Barboza told me that the Grand Jury minutes would prove that he lied in the courtroom.



001052

James Southwood
7/1/98

He instructed me to return the Grand Jury minutes
to Attorney Joseph Balliro.

To the best of my knowledge, the Barboza copy of the
Grand Jury minutes was given to Attorney Balliro in
the summer of 1971.

Subscribed and sworn to, under the pains and penalties
of perjury, this 11 July, 1995.

James Southwood
7/11/95
before me,
John Emmanuel Canick
notary public
my commission expires: 8/24/95

1878



The Commonwealth of Massachusetts
Massachusetts Defenders Committee

222 Union Street, New Bedford 02740

TEL: 997-3301

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CHIEF COUNSEL
FRANK J. NOWLAN
EXECUTIVE SECRETARY

March 4, 1971

Marteen J. Miller, Esquire
Public Defender of Sonoma County
2555 Mendocino Avenue
Santa Rosa, California 95401

Re: Joseph Barboza Baron

Dear Mr. Miller:

I have been advised by Mr. Joseph Barboza Baron's brother that you have been appointed to represent him in his California matters. I have been representing him in his Massachusetts matters, which were disposed of and his rendition hearings. I offer my help to you.

The defendant left with me some papers which he believes are important to his defense and I will forward them to you by separate mail. Of great concern to us in Massachusetts is the alleged date, time and place of the alleged murder. The California papers state on or about July 7, but the affidavits attached to the Governor's application fail to be any more specific. We do know that he was arrested in New Bedford on July 16, 1970. We do know that he rented a cottage in Lakeville, Mass. prior to his arrest and we came within an eyelash of establishing that he was in Massachusetts at about the time of the alleged murder. The problem is complicated by the fact that he was consorting with other known criminals in New Bedford and they would not come forward to testify at his rendition hearings.

I might add that Garraway and Woods' reputation is zero in Massachusetts, and that it is my opinion that Garraway and Woods are playing a game with the California authorities for the sole purpose of going to California on a vacation. Garraway did the same stunt about 5 years ago with Florida authorities, alleging



1879



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Marteen J. Miller, Esquire

Page 2

March 4, 1971

he had evidence in the Candy Mosler murder trial so he has been around. I was in great hope that California would check out Garraway and Woods a little more carefully.

Please let me know if there is anything I can do.

Very truly yours,

Edward J. Harrington Jr.
Edward J. Harrington, Jr.

Chief Public Defender
BRISTOL-DUKES-NANTUCKET COUNTIES

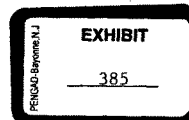
EJHJ:gis

1880

file Mar. 7, 1971
Beyon Sunday

Hi Ted,

I got arraigned Mar. 1st was appointed a public defender by the name of Marteen Miller, he said I'll see you in a day or two that was Mar. 1st today is Mar. 7th & I go to court Mar. 11th which is for a probable cause hearing, what they call here in California a preliminary hearing. With all the work needed to be done I have got to see this lawyer. I understand he is a good lawyer & I don't want to lose him, but neither too do I want to go to court & prepared, or even $\frac{3}{4}$ prepared, I want to be fully prepared! The newspapers & T.V. got everybody down here believing I am guilty, I got a fight on my hands because of them, & you said you'd make sure I got a fair trial & all abtitled me, & you would be watching! Ted you said you would be down here in two weeks. I hope you stick by your



BSF-00817

word, its an emergency that I see
 you because something has happened
 that a whole lot of the truth can now
 come out. It would show a whole lot!
 Remember when Pico & Denny went to
 see a guy & he went along with them.
 Well its the same thing now a
 person that heard the threats made
 against Clay & I, a person that seen
 & knows a whole lot. You have got to
 see me! You promised me you'd
 be down two weeks after I left. You'll
 get this letter & it will already be
 two weeks. For the sake of my wife
 & babies please come down like you
 promised me, this can throw my case
 wide open & prove my story is not
 a lie but the truth. If you linger
 & don't come? I'll lose this powerful
 witness! The F.B.I. can step in on this
 because what this witness knows is
 an F.B.I. matter! This is my break, my
 wife & babies break. You can help or let
 it slip away? I'll be waiting Ted
 This is the biggest break! Joe Baron

KPH:mpa

James J. Featherstone, Deputy Chief,
Organized Crime and Racketeering Section
United States Department of Justice

March 23, 1971

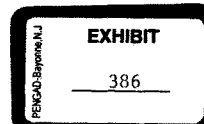
Edward F. Harrington, Attorney in Charge,
Boston Field Office, Organized Crime and
Racketeering Section

Additional Information relative to Travel
Authorization Request Dated 3/22/71 from
Boston, Massachusetts to Santa Rosa, Cali-
fornia and return.

The purpose of this trip is to confer with former government witness, Joseph Baron, presently imprisoned pending a charge of first degree murder, which murder allegedly occurred after he was relocated by the United States Government. Baron was the chief federal government witness in the conviction of Raymond L. S. Patriarca, New England Cosa Nostra boss and the chief state witness in the gangland murder case of Edward Deegan which resulted in the conviction for first degree murder of 6 major underworld figures including Henry Tammelo, former underboss to Patriarca, and Peter Limone, underboss to Gennaro Angiulo, Cosa Nostra boss in the Boston, Massachusetts, area. The Patriarca conviction is considered by knowledgeable officials to have been the most important organized crime case in the history of the New England law enforcement.

Government witnesses John J. Kelley and Vincent G. Teresa have advised the writer that the reason that they decided to cooperate with the government was the government's treatment of Baron while he was in protective custody and because the government fulfilled their obligations to him. Both Kelley and Teresa have advised the writer that the defection of Baron from the ranks of the underworld constituted the greatest blow ever suffered by the New England syndicate.

In keeping with the government's obligation to Baron, I have assured Baron that this office would take all proper steps to insure that he receives a fair and impartial trial on his pending murder charge. This obligation must be kept in view of the fact that many law enforcement officials in the Boston area consider that the pending murder charge has been concocted by the underworld as a means of retaliating against Baron. This belief is supported by the fact that the murder investigation was initiated by information provided by cell mates of Baron in a Massachusetts prison who advised state authorities that Baron had admitted to them of his involvement in this murder. These same cell mates subsequent



BSF-00819

advised the same state authorities that they have been receiving monies from Attorney Ronald Chisholm, syndicate lawyer in the Boston area. In fact, one of these cell mates has recently written Baron's court appointed lawyer that he has information that will save Baron's life.

Baron has requested to speak with me prior to trial to aid him in preparation of his defense. I have been informed that he intends to call me as a witness in his behalf.

This trip to confer with Baron is important to the interests of the government in that it is a fulfillment of this office's commitments to do all within its power to insure that Baron suffers no harm as a result of his cooperation with the federal government.

The writer will do nothing to attempt to dissuade the prosecution from bringing its case but will alert them of the possibility that the murder is a Mafia frame. The fulfillment of this obligation is also in the practical interests of the government as Baron may otherwise determine that the government has failed him in his time of need and, it is my judgment, that he will then retaliate against the government by submitting false affidavits to the effect that his testimony in the Patriarca and Deegan cases was in fact false, and thus tarnish those most significant prosecutions.

Special U.S. Agent Visits The Baron

By BONY SALUDES

Intrigue behind Joseph Barboza Baron, a reputed gangland boss, turned informer, deepened when a Justice Department official made a special plane trip from Boston to visit with him in his cell yesterday.

The official, Edward Francis Harrington, attorney in charge of the U.S. Crime Strike Force, Justice Department, also met separately with Mr. Baron's attorney, Public Defender Marteen Miller, and District Attorney Kiernan Hyland and Sheriff Don Striepeke.

Meanwhile, Mr. Miller announced in court today he doesn't want the 28-year-old New Bedford, Mass., man to be tried in Sonoma County because of prejudicial publicity.

Superior Court Judge Joseph P. Murphy Jr. granted Mr. Miller a three-week continuance so he can file a formal motion for change of venue.

Mr. Baron is charged with the execution-style murder of Clayton Rickey Wilson, 28, Santa Rosa, near Glen Ellen last July.

Mr. Wilson's body was discovered in a shallow, hillside grave near Glen Ellen Oct. 12.

In announcing his intentions to move for a change of venue, Mr. Miller said he was particularly attacking news accounts which have described Mr. Bar-

(Continued on Page 5, Col. 5)

Special U.S. Crime Agent Visits The Baron in Jail

(Continued from Page 1)

on as a "professional killer or hired killer, and so on."

"I've talked to U.S. attorneys," Mr. Miller said, "and nothing has come to my attention to support this particular fact."

Judge Murphy cut Mr. Miller short, instructed him to make his motion and argue later.

"I don't want to extend the publicity," the judge said. He then continued the case until 9 a.m., April 16.

Mr. Harrington's quick visit to Mr. Baron yesterday afternoon raised certain speculation, since it is commonly known that Mr. Baron's incarceration is not in the best interest of the Justice Department.

As he was getting ready to leave the Hall of Justice to catch a plane back to Boston from San Francisco, Mr. Harrington brushed off queries by a Press Democrat reporter.

He stated simply, "I just made a courtesy call. I just happened to be in town."

Mr. Harrington reportedly has good rapport with the Baron and has communicated with him on underworld matters for about four years.

Mr. Miller said his discussion with Mr. Harrington involved Mr. Baron and implications of his current imprisonment.

"We talked about Mr. Baron," Mr. Hyland also admitted. "We didn't discuss the present case."

Mr. Hyland was emphatic in stating Mr. Harrington made no requests of him and stated, "We plan no changes. The case will proceed as usual."

Mr. Hyland said he is not concerned with any problems which were created for the Justice Department by virtue of the charges here against Mr. Bar-

"We have a murder in our hands," he said, "and it will be prosecuted."

Mr. Baron turned informer against his underworld friends and his testimony was instrumental in the convictions of several high-ranking Mafia figures in the East Coast.

It was not clear whether Mr. Harrington came to Santa Rosa on his own initiative, or whether he was asked to come by Mr. Baron.

Mr. Baron, meanwhile, appeared in light spirits in his court appearance today.

The chunky man wore a dark blue, pin-striped T-shirt, bell-bottom jeans, white socks and loafers.

He sat slouched in his chair and in a deep, guttural voice spoke more words than he's spoken before in a courtroom here.

When asked by the judge if he was willing to waive his right to be tried within 60 days, he replied, "I'll do it whatever way the attorney wants to do. Whatever my attorney wants."

Judge Murphy noted the complaint was under the name of Joseph Bentley, the name Mr. Baron was known by while living in Santa Rosa last year.

"Is that your true name?" the judge asked.

"Yes," he replied.

"Are you also known as Joseph Barboza and Joseph Baron?"

"Those are legal names," Mr. Baron said. "I was born Barboza. It was changed legally to Baron and it was changed legally to Bentley."

"Are you also known as Joseph Barboza Baron?"

Mr. Baron shook his head and mumbled, "I don't know about that."

EXHIBIT

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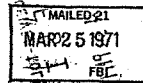
March 25, 1971

92-9828-30

Mr. Don Striepeke
 Sheriff of Sonoma County
 2555 Mendocino Avenue
 Santa Rosa, California 95401

My dear Sheriff:

It was indeed thoughtful of you to write on March 19th and comment as you did concerning the assistance rendered by Special Agents Condon, Scanlan and Rose in connection with the extradition of Joseph Barboza. Communications such as yours are most encouraging and you may be sure Messrs. Condon, Scanlan and Rose appreciate, as I do, your kind remarks.



Sincerely yours,

J. Edgar Hoover

1 - Boston - Enclosure

Personal Attention SAC: Bring to the attention of SAs Dennis M. Condon, James F. Scanlan, Jr., and Albert S. Rose, Jr.

1 - San Francisco - Enclosure

- 1 - Personnel File of SA Dennis M. Condon - Enclosure
- 1 - Personnel File of SA James F. Scanlan, Jr. - Enclosure
- 1 - Personnel File of SA Albert S. Rose, Jr. - Enclosure

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NOTE: Bufiles reflect no identifiable references to Sheriff Striepeke, SAs Condon and Scanlan are assigned to the Boston Office. SA Rose is the Assistant Senior Resident Agent, New Bedford Resident Agency out of the Boston Office.

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RECORDED COPY FILED IN



In the Superior Court of the State of California

In and for the County of Sonoma

MAR 26 1971
EUGENE D. WILLIAMS, Co. Clerk

By Ken Wells
Deputy Clerk

#6407-C

Information

The People of the State of California,

Plaintiff,

vs.

JOSEPH BENTLEY aka JOSEPH BARBOSA, aka JOSEPH BARON BARBOSA, aka JOSEPH BARBOSA BARON, Defendant.

For violation of Section 187 of the Penal Code

BARBOSA, aka JOSEPH BARBOSA BARON is accused by the District Attorney of and for the County of Sonoma, State of California, by this information, of the crime of violation of Section 187 of the Penal Code of the State of California (murder)

committed as follows: That the said JOSEPH BENTLEY aka JOSEPH BARBOSA, aka JOSEPH BARON BARBOSA, aka JOSEPH BARBOSA BARON, on or about the 7th day of July, 1970, at and in the

County of Sonoma, State of California, did willfully, unlawfully and feloniously murder a human being, namely: CLAYTON WILSON aka CLAY WILSON.

EXHIBIT

389

Contrary to the form, force and effect of the Statute in such case made and provided, and against the peace and dignity of the People of the State of California.

KIERNAN R. HYLAND District Attorney
of the County of Sonoma, State of California

By Ronald W. Fahey
Chief Deputy District Attorney.
RONALD W. FAHEY

DEPT. OF JUSTICE, LEGAL ATTORNEY, CIVIL DIVISION
RWF:ina 2000-04-01 12:00 PM

Dept.	Superior Court COUNTY OF SONOMA	The People of the State of California AGAINST	INFORMATION FOR	Filed in open Superior Court of the County of Sonoma, State of California, on motion of the District Attorney of said Sonoma County, this	19	EUGENE D. WILLIAMS, Clerk	Deputy District Attorney
No.							

In and for the County of Sonoma
The Superior Court of the State of California

1888

Mar. 27, 1971
file Saturday
Baum

Hi Ted,

I was sure happy to see you
+ will never forget it. Hey, what did
you say or do to me? You came
down to see me + the next day
they stuck me upstairs in an isolation
cell! There is a guy here that went
out with one of the girls for 1 year who
is testifying against me the Ramos girl.
So they put him here on the 3rd floor
to keep him separated from me, per
order of the D.A., he stayed up here a
week + confessed to his Atty + the Judge.
So he was let out + they took me upstairs
here into an isolation cell per. order
of the Sheriff. I didn't do nothing wrong
+ they strip me from watching T.V. playing
cards, exercising in the yard. They put
me in a cell with nothing more to come
out. It would be different if I break one
rule, but I minded my business. I am
going to see if my Atty helps me. If he
don't? I am going to send a word in +
see the D.A. + Sheriff for cruel +
unusual punishment. The address book
I asked Danny to send down for my Atty
the law here pounced on it like a
lunch of vultures! I rec'd a letter
from my Atty from New Bedford Edward J.
+ he said he rec'd a letter from Wood



BSF-00832

+ that Wood wanted to testify for me + could
 save my life! That wasn't asked by the
 law to be set down here. you were
 impressed by this piece, but don't let
 it fool you for one bit! I went to court
 yesterday + my Atty asked for a 3 wks
 continuance because he wants to file
 a motion for a change of venue
 you know Ted, I have a hold lot on
 my mind, this case, family worries, to
 put me up here for nothing, is done
 purely out of spite + sadistic amusement
 at least when I was downstairs I had
 24. + other things to keep my mind off of
 this. But to stick you in a cell with
 nothing + leave you with nothing to
 do but constantly think of your case
 + pressure, purely out of spite. Well
 if that isn't cruel + unusual punishment
 + a violation of my civil rights, then
 what is it! Give me the cops that are
 on the take back east, they still have
 more class! Ted, I was sure touched
 by your thoughtfulness to drop in + see
 me. It's something I'll never forget!
 If I still have my sanity by the
 time trial comes around I'll see you
 Denny, Doyle + Paul. But if I crack
 up in the cell or on the way to a
 show + something serious happens
 whose fault is it, me, or the hungry
 political ambitious law that put me
 in this cell? Take care Ted Sincerely
 Joe B.